

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PFIZER INC,	x	
ROBERT JARVIK, M.D.,	:	
JARVIK HEART, INC.,	:	Civil Action No. 08 Civ. 2018 (LAK) (JCF)
	:	ECF case
Plaintiffs,	:	
	:	
v.	:	
	:	
MATHEW I. GELFAND, M.D.,	:	
	:	
Defendant.	:	
	x	

STIPULATION OF DISMISSAL

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs Pfizer Inc, Robert Jarvik, M.D., and Jarvik Heart, Inc. and Defendant Mathew I. Gelfand, M.D. by and through their attorneys, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), that all claims and counterclaims of this action, in their entirety, shall be dismissed with prejudice, each party to bear its own costs and fees.

Dated: October 14, 2008

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& BERTOLOTTI, LLP**

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Robert Jarvik, M.D., and Jarvik Heart, Inc.*



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